

1 Originally our committee had the clause which I
2 am proposing now as an amendment in the majority report.
3 It was deleted for reasons of which I am not certain.
4 I am certain, however, that the additional rights and the
5 security which they were meant to maintain were deleted
6 along with it, because it is one thing to say that people
7 shall have security in their houses and effects and
8 communications. It is quite another to indicate how these
9 rights are to be protected.

10 Now, Amendment 7 would place in the Constitution
11 of the State the so-called exclusionary rule, and it would
12 make that rule applicable not only to criminal cases, but
13 to all proceedings, both civil and criminal, before the
14 courts and the agencies of the State. And I will hastily
15 tell you that the Supreme Court has not gone quite that far.
16 I think eventually they will.

17 But if we mean to protect the people in their
18 right of privacy, this is the one means of doing it: and the
19 rest of the section is utterly effectless if we don't.
20 The exclusionary rule simply means that when evidence is
21 obtained in violation of the 4th Amendment, or section 4